

## Message Text

LIMITED OFFICIAL USE

PAGE 01 MANILA 02920 230801Z  
ACTION EA-12

INFO OCT-01 ISO-00 TRSE-00 CIAE-00 DODE-00 PM-05 H-01  
INR-10 L-03 NSAE-00 PA-01 SP-02 SS-15 NSCE-00  
SSO-00 USIE-00 INRE-00 HA-05 OMB-01 AID-05 /061 W  
-----126911 230809Z /14  
P 220849Z FEB 78  
FM AMEMBASSY MANILA  
TO SECSTATE WASHDC PRIORITY 2050

LIMITED OFFICIAL USE MANILA 2920

E.O. 11652: NA  
TAGS: PINT, SHUM, RP  
SUBJECT: LEGISLATIVE ELECTIONS: MARCOS AND AQUINO COMMENT  
FURTHER ON AQUINO'S APPEAL FOR RELEASE

REF: MANILA 2775

1. SUMMARY. PRESIDENT MARCOS TOLD PRESS FEBRUARY 21 THAT, WHILE HE WOULD LIKE TO RELEASE AQUINO TO CAMPAIGN FOR IBP SEAT, HE SUSPECTS HIS REQUEST IS A LEGAL PLOY IN WHICH HE WILL BE CHARGED WITH TAMPERING IN AQUINO'S CASE. MARCOS EXPECTS THE NATIONAL SECURITY COUNCIL EXECUTIVE COMMITTEE TO REPORT ON AQUINO'S REQUEST WITHIN A WEEK. MEANWHILE, AQUINO SENT ANOTHER LETTER TO MARCOS COMPLAINING OF DELAYS IN RESPONDING TO HIS REQUEST. IT IS NOT YET CLEAR WHETHER MARCOS WILL ULTIMATELY DECIDE TO RELEASE AQUINO TO CAMPAIGN. OBVIOUSLY HE IS RELUCTANT TO DO SO, BUT HE WANTS IT TO APPEAR THAT HE IS STUDYING THE MATTER CAREFULLY AND THAT THE DECISION WILL BE BASED ON LEGAL RATHER THAN POLITICAL CONSIDERATIONS.  
END SUMMARY.

2. PRESIDENT MARCOS, SPEAKING WITH NEWSMEN DURING BREAK IN TALKS WITH THAI PRIME MINISTER KRIANGSAK,  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 MANILA 02920 230801Z

SAID FEBRUARY 21 THAT HE WAS PERSONALLY AMENABLE TO GRANTING TEMPORARY FREEDOM TO DETAINED OPPOSITION LEADER BENIGNO AQUINO FOR THE CAMPAIGN PERIOD (MANILA 2698). HOWEVER, IF HE DID ORDER HIS RELEASE, HIS ACTION MIGHT BE MISINTERPRETED TO MEAN HE IS QUESTIONING THE JURISDICTION AND THE PROCEEDINGS OF THE MILITARY TRIBUNAL THAT TRIED AND CONVICTED AQUINO. MOREOVER, HE SAID, HE WOULD BE

"TAKING LIBERTY WITH THE BODY OF THE ACCUSED," A MATTER WHICH IS TIED UP IN AQUINO'S APPEAL FOR HABEAS CORPUS NOW BEFORE THE SUPREME COURT. TO AVOID ACCUSATIONS THAT HE IS INTERFERING, HE SAID, HE HAS PASSED THE QUESTION TO THE NATIONAL SECURITY COUNCIL (REFTEL). HE EXPECTS THE EXECUTIVE COMMITTEE OF THE NSC TO BE ABLE TO REPORT TO THE FULL NSC "WITHIN A WEEK."

3. THE PREVIOUS DAY, AQUINO'S CHIEF CIVILIAN LAWYER, JOVITO SALONGA, TOLD THE PRESS THAT AQUINO'S REQUEST FOR TEMPORARY RELEASE IS FULLY WITHIN THE POWER OF PRESIDENT MARCOS TO GRANT. MARCOS CALLED SALONG'S REMARK "A POLITICALLY PARTISAN STATEMENT, NOT BY AN EXPERT ON CONSTITUTIONAL LAW." MARCOS SAID THAT EVERY LITTLE INDISCRETION ON THE PART OF ANYONE INVOLVED WOULD INVITE ALL KINDS OF ADVERSE CRITICISM. HE ADDED THAT HE THOUGHT AQUINO'S LAWYERS ARE PREPARING TO BRING ANOTHER APPEAL TO THE SUPREME COURT.

4. MEANWHILE, AQUINO RELEASED ANOTHER LETTER TO PRESIDENT MARCOS. IT POINTED OUT THAT "THE VERY LIMITED CAMPAIGN PERIOD IS NOW ENTERING ITS FIFTH DAY WITH ONLY 40 DAYS REMAINING. I CANNOT OVEREMPHASIZE THE URGENCY OF MY REQUEST." AQUINO ALSO NOTED THAT NONE OF THE 13 OTHER DETAINEES WHO REQUESTED TEMPORARY RELEASE TO CAMPAIGN (MANILA 2753) HAD ACTUALLY APPLIED TO BECOME CANDIDATES. "IN LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 MANILA 02920 230801Z

SHORT, I AM THE ONLY DETAINEE WHO FILED A CERTIFICATE OF CANDIDACY." HE SAID HE FELT THAT "SOMEONE IN THE GOVERNMENT" WAS TRYING TO DISCREDIT HIS REQUEST FOR RELEASE BY MAKING IT APPEAR THAT OTHER DETAINEES ALSO WANTED TO RUN. AQUINO ADDED THAT SALONGA HAD ADVISED HIM THAT HIS REQUEST FOR TEMPORARY RELEASE WAS WHOLLY DIFFERENT FROM THE HABEAS CORPUS PETITION FILED BY HIS MOTHER WITH THE SUPREME COURT. "MY MOTHER'S PETITION SEEKS MY PERMANENT RELEASE ON THE GROUNDS THAT MY CONSTITUTIONAL RIGHTS HAVE BEEN VIOLATED. MY REQUEST FOR RELEASE BY YOUR OFFICE IS STRICTLY TEMPORARY AND WILL BE COTERMINUS WITH THE PRESCRIBED CAMPAIGN PERIOD."

5. COMMENT: IT IS NOT YET CLEAR WHETHER MARCOS WILL ULTIMATELY DECIDE TO RELEASE AQUINO TO CAMPAIGN. OBVIOUSLY HE IS RELUCTANT TO DO SO, BUT HE WANTS IT TO APPEAR THAT HE IS STUDYING THE MATTER CAREFULLY AND THAT THE DECISION WILL BE BASED ON LEGAL RATHER THAN POLITICAL CONSIDERATIONS. THE NSC MAY DELAY THE MATTER FURTHER BY PASSING IT ON TO THE SUPREME COURT. MEANWHILE, THE CAMPAIGN PERIOD IS TICKING AWAY, AND THE OPPOSITION CONTINUES TO PUT OFF THE FORMAL START OF ITS PUBLIC CAMPAIGN PENDING THE ARRIVAL OF ITS "ANCHORMAN."

STULL

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LEGISLATIVE ELECTIONS, PRISONERS RELEASE  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 22 feb 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978MANILA02920  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780083-0742  
**Format:** TEL  
**From:** MANILA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780229/aaaaaxwb.tel  
**Line Count:** 117  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 6b222bd2-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION EA  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 MANILA 2775  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 04 may 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3523348  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LEGISLATIVE ELECTIONS: MARCOS AND AQUINO COMMENT FURTHER ON AQUINO'S APPEAL FOR RELEASE  
**TAGS:** PINT, SHUM, RP, (AQUINO, BENIGNO)  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/6b222bd2-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014